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OFFICIAL**FACSIMILE TRANSMISSION**

DATE: JUNE 7, 2004

TO: Hard Copy to Follow via Mail: NO

NAME	FAX NO.	PHONE NO.
USPTO - Amendments	703-872-9306	

FROM: Barbara M. Hayashi

RE:

OUR REF: 100302.0005US1	NUMBER OF PAGES, INCLUDING COVER: 10
01 OCTOBER 9867	
IRRIGATION CONTROLLER USING REGRESSION MODEL	
AQUA - JOHN ADDINK, ET AL.	

MESSAGE:

Attached: (A) Transmittal Form; (B) Fee Transmittal (original and duplicate); (C) Petition for Extension of Time; (D) Response to Office Action (5 pages)

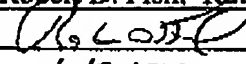
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/009,867	
	Filing Date	December 11, 2001	
	First Named Inventor	John W. Addink	
	Art Unit	2125	
	Examiner Name	Ortiz Rodriguez	
Total Number of Pages in This Submission	9	Attorney Docket Number	100302.0005US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension or Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Robert D. Fish; Rutan & Tucker	
Signature		
Date	6/7/04	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below		
Typed or printed name	Barbara Hayashi	
Signature		Date 06/07/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)
 Approved for use through 07/31/2008 OMB 0851-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003 Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number 10/009,867
 Filing Date December 11, 2001
 First Named Inventor John W. Addink
 Examiner Name Ortiz Rodriguez
 Art Unit 2125
 Attorney Docket No. 100302.0005US1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account
 Deposit
 Account
 Number
 Deposit
 Account
 Name

502191

Rutan & Tucker

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Extra Claims Fee from below Fee Paid
 Independent Claims - 20** = X =
 Multiple Dependent Claims - 3** = X =

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oain	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2125	2,520	For filing a request for ex parte reexamination	
1804	920	2104	920	Requesting publication of SIR prior to Examiner action	
1805	1,840	2105	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1603	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	2806	180	Submission of information Disclosure Stmt	
8021	40	2821	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.128(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	800	2802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

55.00

SUBMITTED BY

Name (Print/Type)

Robert D. Fish

Registration No.

33880

(Complete if applicable)

Telephone 714-641-5100

Signature

Date

June 7, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

**RECEIVED
CENTRAL FAX CENTER
JUN 07 2004**

Inventor: Addink, John

Serial No: 10/009,867

Filed: 12/11/01

**For: Irrigation Controller Using
Regression Model**

Examiner: Carlos Ortiz-Rodriguez

Art Unit: 2125

Attorney Docket No.: 100302.0005US1

RESPONSE TO OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicant would like to thank the examiner for the phone interview conducted on June 2, 2004. Although there was no specific agreement reached with regard to the language of the claims, the applicant considers the claim language submitted below to reflect the understanding of the parties.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments being on page 4 of this paper.

2077/100302-0005US1
500528 02A 806/06/04
Application No. 10/009867
Attorney Docket No. 100302 0005US1